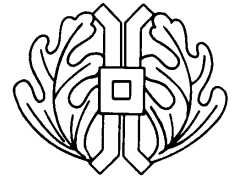


PREVENTIVE LAW SERIES

AUTOMOBILE - THE LEMON LAW



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When life hands you lemons, you make lemonade. When a car dealer sells you a lemon, you jump up and down and swear; but in the end, there is nothing you can do, right? Wrong!!! California, and many other states, have "Lemon Laws" to protect car buyers from getting stuck with a piece of junk.

WHEN THE LEMON LAW APPLIES:

California's Lemon Law applies to cars and trucks purchased or leased for non-business use. The law applies to new cars and **used cars that are still covered by the manufacturer's original warranty.**

WHAT THE LEMON LAW SAYS:

The Lemon Law states that if a manufacturer or dealer cannot fix your car within a "reasonable" number of repair attempts, then the manufacturer must replace the vehicle or reimburse you for its purchase price, whichever you prefer.

What is a reasonable number of repair attempts you ask? Generally, this means the dealer has made four or more attempts to fix the *same* problem or the car has been out of service a total of 30 days while being repaired for any number of problems. These repair attempts must take place within 18 months of getting your car, or the first 18,000 miles on the odometer, whichever occurs first.

These rules are not set in stone. If your car has been in for repairs less than four times, it may still be a "lemon." And even if you meet the requirements listed above, the Lemon Law may not apply. The key to getting help from this law is showing that your vehicle has been in for repairs a "reasonable" number of times but cannot be fixed.

HOW TO TAKE ADVANTAGE OF THE LEMON LAW:

So now you are saying to yourself, "I just bought this car, it's still under the original manufacturer's warranty, and I think it's a lemon, what do I do?" The first thing you need to do is keep good records. Document every time you contact the dealer or attempt a repair even if no repair was made. Proving that your car is a lemon under the law is much easier if you have documented all attempts to repair it. The best way to get this written proof is to send certified letters with return receipts, even doing so after phone calls. Always, always keep invoices, estimates, bills and receipts from the dealer.

Second, if you feel that the dealer has had a reasonable number of chances to fix the car and has failed to do so, you can demand that he take the vehicle back. This should also be done by certified letter with a return receipt. If he refuses, you can contact the California Department of Consumer Affairs for more detailed information on the Lemon Law or make an appointment at the Naval Legal Service Office Southwest Legal Assistance Department to discuss your particular situation.

LEGAL ASSISTANCE APPOINTMENTS:

For an appointment to see a legal assistance attorney, please contact the Legal Assistance Office, located in Building 610, Naval Air Station North Island, by telephone at (619) 545-6278.

RESOURCES:

California Department of Consumer Affairs: 1-800-952-5210, <http://www.dca.ca.gov/arp/>
California Motor Vehicles Department, San Diego Field Office: 619-688-0227
Better Business Bureau: <http://www.bbb.org/alerts/index.html>
National Automobile Dealers Association (N.A.D.A.): <http://www.nada.com/>
Kelley Blue Book: <http://www.kbb.com/>
California Dept of Insurance: 1-800-927-4357; <http://www.insurance.ca.gov/>
California Civil Code Section 1793.22